

COPY

Commonwealth of Massachusetts
**DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT**

Deval L. Patrick, Governor ♦ Timothy P. Murray, Lt. Governor ♦ Aaron Gomstein, Undersecretary

February 10, 2012

Stephen P. Steinberg, President ✓
Acton Management, Inc.
P.O. Box 2350
69 Great Road
Acton, Massachusetts 01720

Mike Gowing, Chair
Board of Selectman
Town of Acton
472 Main Street
Acton, Massachusetts 01720

RE: Acton Meadows, Acton, Massachusetts
Determination of Project Eligibility under the Local Initiative Program (LIP)

Dear Messers. Steinberg and Gowing:

I am pleased to inform you that your application for project eligibility under the Local Initiative Program (LIP) for the proposed Acton Meadows project has been approved. This approval is based on your application that sets forth a plan for the development of twenty-six (26) homeownership and rental units. The proposed sales prices and rents of the LIP units are generally consistent with the standards for affordable housing to be included in a community's Chapter 40B affordable housing stock.

As part of the review process, Department of Housing and Community Development (DHCD) staff has performed an on-site inspection of the proposed project sites. DHCD has made the following findings:

1. The proposed project appears generally eligible under the requirements of the Local Initiative Program, subject to final program review and approval;
2. The site of the proposed project is generally appropriate for residential development;
3. The conceptual plan is generally appropriate for the site on which the project is located;
4. The proposed project appears financially feasible in the context of the Acton housing market;
5. The initial pro forma for the project appears financially feasible and consistent with cost examination and limitations on profits and distributions on the basis of estimated development costs;

- b. The affirmative fair marketing and lottery plan and related forms for this Habitat unit shall be submitted and approved prior to the execution of a regulatory agreement and prior to construction;
5. The Acton Housing Authority will purchase a duplex that will be rented to two households eligible to participate in the low income rental program;
 - a. The developer's agreement, or equivalent, between the developer and housing authority shall be submitted to DHCD;
 - b. The affirmative fair marketing and lottery plan and related forms for the rental units shall be submitted;
 - c. A rental regulatory agreement will be executed between the Acton Housing Authority, Town of Acton and DHCD;
6. The Schedule of Beneficial Interests that will be included in the condominium master deed shall be submitted, and the beneficial interests for the LIP units must reflect their restricted value and the maximum initial condominium fees approved by DHCD;
7. The project must be organized and operated so as not to violate the state anti-discrimination statute (M.G.L. c151B) or the Federal Fair Housing statute (42 U.S.C. s.3601 et seq.). No restriction on occupancy may be imposed on the affordable unit (other than those created by state or local health and safety laws regulating the number of occupants in dwelling units);
8. The Town shall submit to DHCD the finalized details of the comprehensive permit;

As the Acton Meadows project nears completion of construction, DHCD staff may visit the site to ensure that the development meets program guidelines.

When the units have received Certificates of Occupancy, the developer must submit to both DHCD and the Acton Board of Selectmen a project cost examination for the comprehensive permit project.

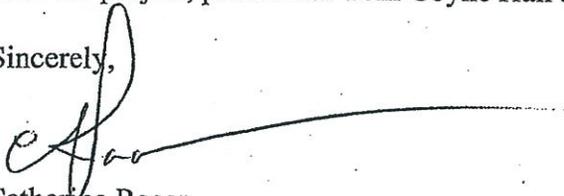
This letter shall expire two years from this date or on February 10, 2014 unless a comprehensive permit has been issued.

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Acton – Acton Meadows

We congratulate the Town of Acton and the project sponsor on their efforts to work together to increase the Town's supply of affordable housing. If you have any questions as you proceed with the project, please call Toni Coyne Hall at 617-573-1351.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Racer', with a long horizontal flourish extending to the right.

Catherine Racer
Associate Director

cc: Ron Bartl, Acton Planning and Development
Nancy Tavernier, Acton Community Housing Corp
Kenneth Kozik, Zoning Board of Appeals
Kelley Cronin, Acton Housing Authority
Maggie Monroe-Cassell, Habitat for Humanity North Central
Office of the Chief Counsel, DHCD

Enc.

RESPONSIBILITY FOR COST CERTIFICATION:

By your signature below, 263 Great Road LLC acknowledges and accepts this approval letter, including the obligation under law to provide the Department of Housing and Community Development and the Acton Board of Selectmen with a project cost examination.

Signature: _____

Name (print): _____

Date: _____

Upon receipt, please make copy of this letter and return a signed copy to Division of Housing Development, Department of Housing and Community Development, 100 Cambridge Street, Boston, MA 02114 ATTN: Local Initiative Program

Acton Meadows, Acton, Massachusetts

LOCAL INITIATIVE PROGRAM – COMPREHENSIVE PERMIT

Sponsor:
263 Great Road LLC
P.O. Box 2350
Acton, MA 01720

Project Addresses:
263-265 Great Road
Acton, MA 01720

This project will provide ownership and rental opportunities according to the following breakdown:

Type of Unit	# Units	# Bdrms	# Baths	Gross SF	# of Parking Spaces ¹	Association Fee	Maximum Sale/Rental Price
For Sale							
Market Units	19	3	2.5	1750-2500	2	\$200	\$489,000
L.I.P. Units	4	3	2	1750	2	\$125	\$170,700
80% units	1	3	1.5	1450	2	\$95	\$136,400
Rental							
LIP Units	2	2	1.5	1300	2	N/A	\$1462/mth ³
Total Units	26						

¹ All homes will have garages.

² Habitat for Humanity home is anticipated to be sold to a household whose income is 50% of Area Median Income.

³ This maximum rent includes utilities.